

Appl. No. : **10/719,547**
Filed : **November 21, 2003**

REMARKS

Restriction to one of the following groups was required under 35 USC 121:

- Group I Claims 1-15, drawn to a mutant flavivirus comprising, classified in class 435, subclass 236, and class 424, subclass 218.1.
- Group II Claim 17, drawn to a kit comprising a pack or dispenser device, classified in class 422, subclass 61.
- Group III Claims 18 and 19, drawn to a method of making dengue virus-specific neutralizing antibodies, classified in class 530, subclasses 387.1 and 388.3.
- Group IV Claim 20, drawn to a tetravalent vaccine comprising a mutant flavivirus, classified in class 424, subclasses 202.1 and 218.1.
- Group V Claims 21 and 22, drawn to a live, attenuated vaccine comprising a mutant flavivirus, classified in class 435, subclass 236, and class 424, subclass 218.1.
- Group VI Claims 23 and 24, drawn to an inactivated vaccine comprising a mutant flavivirus, classified in class 435, subclass 236, and class 424, subclass 218.1.
- Group VII Claim 25, drawn to a cDNA molecule encoding a mutant flavivirus, classified in class 536, subclass 23.72.
- Group VIII Claim 26, drawn to an RNA molecule encoding a mutant flavivirus, classified in class 536, subclass 23.72.
- Group IX Claims 27 and 28, drawn to a method of making a mutant flavivirus, classified in class 435, subclass 69.1.
- Group X Claims 29 and 32, drawn to a method of identifying flaviviral mutations that affect replication in human hepatocytes, classified in class 435, subclass 5.
- Group XI Claims 30 and 32, drawn to a method of identifying flaviviral mutations that affect replication in Vero cells, classified in class 435, subclass 5.
- Group XII Claim 31, drawn to a method of assembling a menu of flavivirus mutations, classified in class 435, subclass 5.

In response to this Restriction Requirement, Applicant elects Group I, that is Claims 1-15, but due to election of a genotype, making election of a phenotype redundant, newly Claims 1-11.

Additionally, restriction was required to a one genotype and phenotype of the virus (as set forth in Tables 1-37), which may include different dengue types (e.g. DEN-1, -2, -3, or -4) with

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the election. Applicant elects charge-cluster-to-alanine mutations 200, 201 from Table 37, making election of a phenotype redundant. The claims have been amended to conform thereto.

Rejoinder

The Examiner has requested restriction between product and process claims. Applicant has elected the product claims of Group I with understanding that when the product claim is found allowable, withdrawn process claims that depend from or otherwise include all the limitations of the allowable product claim will be rejoined in according with the provisions of MPEP §821.04 and fully examined for patentability in accordance with 37 CFR 1.104.

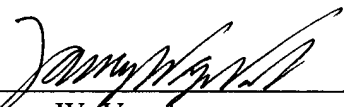
CONCLUSION

In view of the foregoing, Applicant respectfully requests that this application be passed to issuance. If any points remain that can be resolved by telephone, the Examiner is invited to contact the undersigned at the below-given telephone number.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4/21/06

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